IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.486 OF 2005

IN

REVIEW PETITION NO.50 OF 2005

IN

WRIT PETITON NO.2218 OF 2004

Monito Enterprise & Anr. ..Applicant.

V/s.

Union of India & Ors. ..Respondents.

Ms.Indu Prashant i/b. H.R.Shetty & Co. for applicant.

Mr.H.V. Mehta with Y.R. Mishra for respondent Nos.1, 4, 5 & 6.

Mr.J.S. Satya i/b. M.V. Kini & Co. for respondent Nos.2 & 3.

CORAM : V.C. DAGA AND
J.P.DEVADHAR, JJ.

DATED : 7TH OCTOBER, 2005.

P.C. :-

Heard the learned counsel for the applicant. No case is made out for condonation of delay in preferring review petition. During the course of hearing, the learned counsel tried to demonstrate prima facie case to contend that atleast looking to the prima

facie case, delay should be condoned. That is how we were made to the prima facie case in favour of the applicant. Having examined prima facie case in the light of the submissions made, we are of the confirmed view that no prima facie case for review exists so as to consider the issue of condonation of delay with latitude in favour of the applicant. Even, on merits no case exists for condonation of delay.

Notice of motion seeking condonation of delay is, thus, dismissed in limini with no order as to costs.

The record of the Review Petition be consigned to record.

(V.C. DAGA, J.)

(J.P.DEVADHAR, J.)